

COMMITTEE ON EUROPEAN AFFAIRS

Date: 30 November 2000
Time: 2 pm
Venue: Committee Room 1, National Assembly Building
Title: Chair's Report
Chair's Report

Purpose

To provide an update on a range of issues which do not justify full papers. This report is circulated for information.

Recommendation

That members note the content of the report.

Background

1. The Committee on European Affairs last met on the 8 June, 2000. A number of developments have taken place since then, and are listed below.

Annual Report

2. The Committee's annual report was debated in plenary on Tuesday 27 June. The report was well received and the approved motion is at Annex A.

Future role of European Affairs Committee

3. At the 8 June Committee meeting, each of the political parties represented on the Committee were invited to let me have their views on the role and remit of the Committee. I have received papers from Plaid Cymru and the Liberal Democrats. The role of the Committee will be discussed at item 1 of today's Agenda.

Assembly Office in Brussels

The Assembly's office in Brussels and the new Wales European Centre building were officially opened by Vice President Neil Kinnock and myself on 19 September before an invited audience. A Protocol and Service Level Agreement between WEC and the Assembly have been drawn up and I have circulated these to party leaders for comment. I received a response from Plaid Cymru and the SLA has been amended accordingly. The tempo of Assembly business on the European front has quickened and a newsletter detailing activity has been posted to the Assembly's Internet and Intranet sites.

Committee of the Regions

John Griffiths (Full Member) and Elin Jones (Alternate) were in Brussels for their first Committee of the Regions' plenary sessions on 20 & 21 September. Elin is entitled to substitute at plenary sessions when John is unable to go but both are members of committees in their own rights. On 25 October Elin attended a meeting of the Committee on Agriculture, Rural Development & Fisheries. John attended a meeting of the Committee on Education, Vocational Training, Culture, Youth, Sport and Citizen's Rights on 3 October and, on 27 October, an Institutional Affairs Committee.

Council of Ministers meetings

Jane Davidson AM, Minister for Education and Life-long Learning, led for the UK on various agenda items at the Education and Youth Councils in Brussels on 9 November. As well as representing the Assembly she also led for the UK on part of the Council agenda – the first time that an Assembly Minister has done so.

Keith Vaz visit : 1 September 2000

On 1 September the Assembly hosted a visit to Wales by Keith Vaz MP, Minister for Europe at the Foreign and Commonwealth Office. The visit was primarily aimed at highlighting the benefits of EU membership to the United Kingdom and Wales in particular and included visits to ERDF funded projects and companies with strong European links in Cardiff and Newport.

Those of you who were there will know that the business lunch and question and answer session at the Marriott Hotel provided the platform for a lively debate about the EU. The photocall with local media personalities at the Millennium Stadium also provided a little colour and helped raise the profile of the visit. Keith Vaz has written to thank me for hosting the visit and expressing his pleasure at the wide media coverage.

Polish Study Visit

A group of politicians and officials from the Warminsko-Marzurskie region of Poland visited Wales in June and October. The event comprised a two-week study visit between 19–25 June and 2–6 October organised under the EU funded Phare Inred programme.

The objective of the visit to Wales was for the participants to become familiar with the procedures relating to structural funds in readiness for Poland's entry into the European Union.

The participants included the Voivod (the Head of Regional State Administration), the Deputy Marshal (Deputy Head of Regional Government), the President of the Warmia Mazury Regional Parliament, the President (Mayor) of Olsztyn, the capital city of the region, various other regional and local politicians and members of the Board and staff of the Marshal's Office.

The Assembly drew up a comprehensive programme of visits and presentations which was very well received.

Slovenian delegation

A group of Slovenes visited the Welsh European Funding Office between 11 and 13 September. The participants were all officials from various Ministries in Slovenia and were particularly interested in the European Social Fund and its applications. Following his recent visit to Cardiff to address the WEC AGM, I have written to the Slovene Ambassador inviting him to visit the Assembly.

Secondments

David Gallop, an official from the Assembly's Trade Union Side, was seconded to the European Commission's Office of Representation in Wales with effect from 1 September. His role will be to feed back information from the European Commission and other EU institutions to political parties, policy Divisions in the National Assembly and other organisations in Wales. He will report directly to the Head of Wales Representation, Catherine Eva. Anne Jones, from the Assembly's Press Office, has just begun a work placement as a stagiare in the Commission's Press and Communication Service in Brussels

At its June meeting the Committee discussed the possibility of the Assembly establishing a scheme to encourage secondments to European institutions of members of staff from Welsh public and voluntary sector bodies. The draft budget presented by the Finance Secretary includes a notional amount of £100.000 in the Miscellaneous European Support Services BEL for this purpose. A paper will come forward to a future meeting of the Committee about how this scheme might operate, but if AMs have any matter they wish us to consider in developing proposals I would be glad to have them.

Three Es Initiative

A series of events designed to integrate and promote the messages of the three Es – **Exports, E business and the Euro** – and to help business meet the challenges that these issues present, is planned to take place in South, Mid and North Wales in the new year.

The initiative is UK-wide and was first launched by the Department of Trade and Industry, with the support of HM Treasury, on Thursday 21 September at the Reebok Stadium in Bolton.

The events in Wales will comprise a breakfast or buffet lunch and presentations and question and answer sessions on each of the three Es.

Industry Division (WalesTrade International), are in the lead with administrative and financial support from Business Information Systems Division and European Affairs Division.

Wales Forum on European Affairs

The third meeting of the Forum is planned for Friday 2 March 2001 in Cardiff.

I am anxious that the Forum remains relevant and focused and for this reason I am writing to the Leaders of the other political parties in Wales seeking their views on how they would like the Forum to proceed. I would also welcome views from outside bodies on the future role of the Forum.

A paper setting out the outcome of those deliberations will be tabled at the next meeting of the Committee.

Influencing European Union Policies

Paper EUR-02-00 (p5) which was placed before the June Committee meeting, included a number of recommendations on how the Assembly might develop its expertise and links with European Institutions with a view to influencing the EU policy process.

All Assembly Ministers now receive regular information about Council of Ministers' meetings, and are encouraged to consult the relevant Whitehall Department to obtain further information about the items listed and to discuss the appropriateness of a representative from the Assembly attending meetings.

The European Affairs Division met Group Directors and Heads of Division during September and October to agree ways of promoting increased understanding of the EU amongst officials. The aim is to help them better advise the Cabinet about means of ensuring that Welsh interests are fully and positively taken into account in the development of European policies affecting Wales.

The arrangements for tracking EU Directives have been reviewed. The Assembly receives regular information from the European Commission (via its Official Journal) on new Directives. Details of those Directives are sent to the Office of the Counsel General to determine whether the Assembly has the powers to transpose them into secondary legislation. Details of the position so far is at Annex B.

Designation Order

A new Designation Order - European Communities (Designation) (No 3) Order 2000/2812 - was made on 11 October and came into force on 13 November. The Order designates the Assembly to make regulations in respect of the assessment and management of ambient air quality, the assessment of the likely effects on the environment of certain (specified) projects, measures relating to the conservation of natural habitats and of wild fauna and flora and measures relating to the regulation and control of the use of sewage sludge in agriculture.

White Paper on developments in the EU

The UK Government is preparing the latest of its White Papers on EU developments, this one on developments under the Portuguese Presidency during January – June 2000.

The White Paper will include a section on developments in the devolved administrations, including the Assembly, and is due to be published on 22 November 2000.

Financial Implications

There are no financial implications for the Assembly arising from the issues covered in this report.

Annex A

The report of the European Affairs Committee was debated in plenary on Tuesday 27 June 2000

The following Motion was passed:

The Assembly

- i. notes with approval the establishment of the Assembly's office in Brussels, and the acceptance of its application to join the Wales European Centre; and welcomes the cross party nature of the National Assembly for Wales's involvement in the Wales European Centre, and the access to all Members of the Assembly to the facilities and services of the Wales European Centre;
- ii. calls upon the Assembly Cabinet to take all necessary steps to ensure that Welsh interests are fully taken into account in the development of European policies affecting Wales;
- iii. notes in particular the need for Assembly officials to maintain close working relations with UKREP, and for Assembly Secretaries to attend Council of Ministers' meetings;
- iv. encourages the administration to ensure that effective arrangements are in place to maximise the number of Assembly staff seconded to European institutions, and to re-deploy them effectively on their return; and
- v. recommends that each Subject Committee undertake a review of the effect of EU legislation within its subject area including investigating how other member states are dealing with such legislation.

European Directives at its meeting in November 1999. A system for tracking new Directives was introduced by European Affairs Division (EAD) in January:-.

- Details of new EC Directives are listed every month in the EC Official Journals, copies of which are received by EAD and the Assembly's central library. EAD records the number and scope of the Directives and keeps a copy of the relevant OJ extract on a registered file.

Annex B

Tracking of EC Directives

Background

There are two main types of European legislation – Regulations and Directives. Regulations are binding in their aim and specify precisely how they are to be implemented in a uniform manner throughout the EU. Directives specify the aim, but are implemented in each Member State through secondary legislation, which gives Governments flexibility to implement according to their own circumstances, as long as the legislation keeps to the spirit of the Directive. Failure to implement secondary legislation may lead to infraction proceedings whereby the Commission will bring a case against the relevant Member State before the European Court of Justice.

The Assembly has to be designated under section 2(2) of the European Communities Act 1972 for it to have the legal power to implement European Directives through Statutory Instruments. The First Designation Order was made in October 1999, which gave the Assembly powers to implement Directives in relation to certain agriculture, forestry and health matters. A second Designation Order covering transport, planning and the environment was made on 11 October and came into force on 13 November.

The Committee on European Affairs approved a report outlining the arrangements for implementing

- EAD then sends the Official Journal to the Office of the Counsel General (OCG) drawing their attention to the Directives and seeking confirmation on whether any of them need to be transposed into secondary legislation.
- OCG scrutinise the Directives and inform EAD accordingly.
- If OCG identify any Directives for transposition into secondary legislation, EAD brings them to the attention of the relevant Assembly Division and (where appropriate) prepares a note for the relevant subject committee to bring to the attention of the subordinate legislation committee.

Position to date

- Since January, EAD has been notified of 45 Directives. A list of these is set out below. None of the Directives affect areas for which the Assembly has been designated and it has not, therefore, been necessary to prepare any subordinate legislation to implement them. Prior to January, we are aware of only one Directive – on Waste Strategy – that has required subordinate legislation by the National Assembly. This is being considered by the relevant policy Division.

List of directives since January.

January

- Directive 1999/103/EC of the European Parliament and of the Council of 24 January 2000 amending Council Directive 80/181/EEC on the approximation of the

- laws of the Member States relating to units of measurement.
- Directive 2000/1/EC of 14 January 2000 adapting to technical progress Council Directive 89/173/EEC as regards certain components and characteristics of wheeled agricultural or forestry tractors
 - Directive 2000/2/EC of 14 January 2000 adapting to technical progress Council Directive 75/322/EEC relating to the suppression of radio interference produced by spark ignition engines fitted to wheeled agricultural forestry tractors and Council Directive 74/150/EEC relating to the type-approval of wheeled agricultural or forestry tractors

February

- Directive 2000/6/EC of 29 February adapting to technical progress Annexes II, III, VI and VII to Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to Cosmetic Products
- Directive 2000/3/EC of 22 February 2000 adapting to technical progress Council Directive 77/541/EEC relating to safety belts and restraint systems of motor vehicles
- Directive 2000/5/EC of 25 February 2000 amending Annexes C and D to Council Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC

March

- Directive 2000/7/EC of the European parliament and of the council of 20 March 2000 on speedometers for two or three wheel motor vehicles and amending Council Directive 92/61/EEC on the type approval of two-or three-wheel motor vehicles.
- Directive 2000/8/EC of the European Parliament and of the Council of 20 March 2000 amending Council Directive 70/221/EEC on the approximation of the Laws of the Member States relating to liquid fuel tanks and rear underrun protection of motor vehicles and their trailers.
- Directive 2000/9/EC of the European Parliament and of the Council of 20 March 2000 relating to cableway installations designed to carry persons.
- Directive 2000/12/EC of the European Parliament and of the council of 20 March 2000 relation to the taking up and pursuit of the business of credit institutions.
- Directive 2000/13/EC of the European Parliament and of the European Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs.

April

- Directive 2000/15/EC of the European Parliament and the Council of 10 April 2000 amending Council Directive 64/432/EEC on health problems affecting intra-community trade in bovine animals and swine.
- Directive 2000/16/EC of the European Parliament and the Council of 10 April 2000 amending Council Directive 79/373/EEC on the marketing of compound feedingstuffs and Council Directive 96/25/EC on the circulation of feed materials.
- Directive 2000/18/EC of the European Parliament and of the Council of April 2000 amending Council Directive 79/373/EEC on the marketing of compound feedingstuffs and Council Directive 96/25/EC on the circulation of feed materials.
- Directive 2000/18/EC of the European Parliament and of the Council of 17 April 2000 on minimum examination requirements for safety advisers for the transport of dangerous goods by road, rail or inland waterway.
- Commission Directive 2000/22/EC of 28 April 2000 adapting to technical progress Council Directive 87/402/EEC on roll-over protection structures mounted in front of the driver's seat on narrow track wheeled agricultural and forestry tractors (text with EAA relevance)
- Commission Directive 2000/24/EC of April 2000 amending the Annexes to Council Directives 76/895/EEC, 86/362/EEC, 86/363/EEC (final directive not available) on the fixing of maximum levels for pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively.
- Directive 2000/33/EC of 25 April 2000 adapting to technical progress for the 27th time Council Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances

May

- Council Directive 2000/27/EC of 2 May 2000 amending Directive 93/53/EEC introducing minimum Community measures for the control of certain fish disease.
- Directive 2000/32/EC of 19 May 2000 adapting to technical progress for the 26th time Council Directive 67/548/EC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances
- Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors
- Directive 2000/20/EC of the European Parliament and of the Council of 16 May 2000 amending Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine
- Directive 2000/25/EC of the European Parliament and of the Council of 22 May 2000 on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural and forestry tractors and amending Council Directive 74/150/EEC
- Directive 2000/26/EC of the European Parliament and of the Council of 16 May 2000 on the approximation of the laws of the member States relating to insurance against civil liability in respect of the use of motor vehicles and amending Council Directives 73/239/EC and 88/357/EEC
- Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

June

- Directive 2000/37/EC of 5 June 2000 amending Chapter Via "Pharmacovigilance" of Council Directive 81/851/EEC on the approximation of the laws of the Member States relating to Veterinary medicinal products
- Directive 2000/38/EC of 5 June amending Chapter Va (Pharmacovigilance) of Council Directive 75/319/EEC on the approximation of the laws of the Member States relating to Medicinal Products
- Commission Directive 2000/39/EC of 8 June 2000 establishing a first list of indicative occupational exposure limit values in implementation of Council Directive 98/24/EEC on the protection of the health and safety of workers from the risks related to Chemical agents at work
- Commission Directive 2000/41/EC of 19 June 2000 postponing for a second time the date after which animal tests are prohibited for ingredients or combinations of ingredients of cosmetic products
- Directive 2000/42/EC of 22 June 2000 amending the Annexes to Council Directive 86/362/EEC, 86/363/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin including fruit and vegetables respectively
- Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market
- Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin
- Council Directive 2000/44/EC of 30 June 2000 amending Directive 92/12/EEC as regards temporary quantitative restrictions for products subject to excise duties brought to Sweden from other Member States
- Directive 2000/30/EC of the European Parliament and of the Council of 6 June 2000 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community
- Directive 2000/34/EC of the European Parliament and of the Council of 22 June 2000 amending Council Directive 93/104/EC concerning certain aspects of the organisation of working time to cover sectors and activities excluded from that Directive
- Directive 2000/35/EC of the European Parliament and of the Council of 29 June 2000 on combating late payment in commercial transactions
- Directive 2000/39/EC of the European Parliament and of the Council of 23 June 2000 relating to cocoa and chocolate products intended for human consumption
- Directive 2000/40/EC of the European Parliament and of the Council of 26 June 2000 on the approximation of the laws of the Member States relating to the front underrun protection of motor vehicles and amending Council Directive 70/156/EEC

July

- Commission Directive 2000/42/EC of 6 July 2000 establishing Community methods of analysis for the determination of vitamin A, vitamin E and tryptophan in feedingstuffs
- Directive 2000/47/EC of 20 July 2000 amending Directives 69/169/EEC and 92/12/EEC as regards temporary quantitative restrictions on beer imports into Finland
- Directive 2000/52/EC of 26 July 2000 amending Directive 80/723/EEC on the transparency of financial relations between Member States and public undertakings
- Directive 2000/48/EC of 25 July 2000 amending the Annexes to Council Directives 86/362/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals and certain products of plant origin, including fruit and vegetables respectively
- Directive 2000/49/EC of 26 July 2000 including an active substance (metsulfuronmethyl) in Annex 1 to Council Directive 91/414/EEC concerning the placing of plant protection products on the market
- Directive 2000/50/EC of 26 July including an active substance (prohexdionecalcium) in Annex 1 to Council Directive 91/414/EEC concerning the placing of plant protection products on the market
- Directive 2000/51/EC of 26 July 2000 amending Directive 95/31/EEC laying down specific criteria of purity concerning sweeteners for use in foodstuffs